

## FACTSHEET

### WHEN A PERSON BECOMES A CANDIDATE

Under Hawaii state law, there are two separate and distinct requirements that determine when a person becomes a candidate. The first requirement relates to registering with the Campaign Spending Commission. The second requirement relates to gaining access to Hawaii's ballots.

#### REGISTRATION WITH CAMPAIGN SPENDING COMMISSION

State law requires each candidate to register and to file a financial report with the Campaign Spending Commission on forms provided by the Commission. For purposes of registering with the Campaign Spending Commission, an individual is a candidate for an office if the individual:

- ! files nomination papers;
- ! receives contributions over \$100 or makes any expenditures;
- ! gives consent to another person to receive contributions or make expenditures; or
- ! is certified to be a candidate by the elections office.

Candidates are required to register with the Campaign Spending Commission by filing an Organizational Report within ten days from the date the candidate's committee receives contributions totaling more than \$100 or makes any expenditure. Candidates or their committees must also file reports of campaign contributions (receipts) and expenditures.

#### BALLOT ACCESS FOR CANDIDATES

State law requires candidates to file nomination papers to gain access to the State of Hawaii's ballots. For ballot access purposes, a person becomes a candidate when the person files nomination papers and fulfills the requirements to be a candidate.

Candidate requirements include:

- ! Certification by candidates: Each candidate must certify, by self-subscribing oath, that he/she will qualify for the office sought when filing his/her nomination papers.
- ! Member of Political Party: Each partisan candidate must certify, by self-subscribing oath, that he/she is a member of the political party when he/she files his/her nomination papers.
- ! Felony Convictions: Each partisan candidate must certify, by self-subscribing oath, that he/she is in compliance with Section 831-2, Hawaii Revised Statutes (HRS), and is eligible to run for office when he/she files his/her nomination papers.

- ! Oath of loyalty/affirmation: Candidates are required to take and subscribe to a prescribed written oath of loyalty or affirmation statement before a notary public or a public officer authorized by law to administer oaths. The Oath/Affirmation must be completed when nomination papers are filed.
- ! Resignation from office: Certain elected state or county public officials must resign from the office currently held before being eligible as a candidate for another state or county elective office. This applies only if the term of the office presently held is not normally scheduled for election in the same year as the office sought. The candidate must resign from office before filing his/her nomination papers and must certify, by self-subscribing oath, that he/she has complied with this requirement.
- ! Signature of registered voters: When nomination papers are filed, the nomination paper must be signed by a specified number of properly registered voters who are qualified to vote for the candidate in the upcoming election. The number of signatures varies with the office sought and ranges from 15 to 25.
- ! Filing fee: The filing fee, which varies with the office sought and ranges from \$25 to \$750, must be paid by cash, money order, or certified/cashier's check at the time that the candidate's nomination papers are filed.

*NOTE: Nomination papers that contain alterations or changes made by anyone other than the chief election officer or clerk and/or nomination papers which are incomplete and do not contain all of the certifications, signatures, and requirements of section 12-3, HRS, shall be void and will not be accepted for filing by the chief election officer or clerk.*

This Fact Sheet is intended for informational purposes only and should not be used as an authority on the Hawaii election law and candidate deadlines. Requirements and/or deadlines may change pending changes in legislation. Consult the Hawaii Revised Statutes and other sources for more detailed and accurate requirements.

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